

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

OHIO CITIZEN ACTION

Plaintiff, : Case No. 3:05-CV-263

-vs-

Judge Walter H. Rice  
Magistrate Judge Michael J. Newman

CITY OF ENGLEWOOD,

Defendants. :

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**ORDER**

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On May 1, 2012, the Court held a conference call with counsel for both sides to discuss the upcoming mediation. The Court discussed the scheduling of the mediation, and also whether the mediation should be bifurcated so that the issue of damages and attorney's fees can be mediated separately.

The Court advised counsel that, with respect to the bifurcation issue, they may each file a brief, not to exceed five pages in length, which sets forth their respective arguments. Such briefs shall be filed on or before **May 11, 2012**.

**IT IS SO ORDERED.**

May 2, 2012

s/**Michael J. Newman**  
United States Magistrate Judge